U.S. POW'S AND MIA'S IN SOUTHEAST ASIA

HEARING
BEFORE THE
COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE
NINETY-THIRD CONGRESS
SECOND SESSION
ON
ACCOUNTING FOR U.S. PRISONERS OF WAR AND MISSING IN ACTION IN SOUTHEAST ASIA

JANUARY 28, 1974

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OPENING STATEMENT

A year and a day ago the Vietnam cease-fire agreements were signed in Paris. In pursuance of those agreements, about 600 American prisoners were released by the Democratic Republic of Vietnam [DRV] and the Provisional Revolutionary Government [PRG] of Vietnam. Those who returned, however, did not include all whom our Government had some reason to believe might be detained by the other side. Today, after 10 months of effort by the United States, the North Vietnamese have still not accounted for all who were believed to be prisoners or for a single one of the more than 1,200 other Americans still listed as missing in action.

On behalf of the Committee on Foreign Relations, I want to welcome the members of the families of the missing who are in the hearing room today. We are here primarily to learn your views. You must know that you have our respect and our sympathy. I am keenly aware, however, that you want much more than that. We know that you have received countless assurances of interest from every level of our Government, but we also know that to many of you such assurances are little solace.

It may ultimately be beyond the power of anyone in our Government to give you what you want. The circumstances surrounding the disappearance of many of the missing may never be known. What we can do here today, however, is to listen to your experiences and to hear your views and then to consult with representatives of the executive branch about what more can be done to resolve the agonizing uncertainties with which you have lived for so long.
The committee invited the Secretaries of State and Defense to participate in today's hearing because we believed that authoritative answers to the questions which you would want us to raise could only come from the highest levels of the executive branch. Unfortunately, neither of the Secretaries found it possible to accept our invitation, but representatives of both departments are present, and they will be heard in the course of the morning.

During the past month the members of the committee have received literally hundreds of telegrams and letters concerning the problem of accounting for the missing in action. This hearing is our response. We regret that it was not possible to schedule everyone who wished to testify or whose name was suggested to us. If there are others whom we were not able to schedule today and who wish to submit written testimony, the committee will be glad to receive it. The record of this hearing will be held open until a week from today for that purpose.

We will begin this morning with Col. Scott Albright, who is the executive director of the National League of Families of American Prisoners and Missing in Southeast Asia, and who is, in addition, the father of Capt. John Scott Albright II, missing in Laos since December 1968.

He will be followed by Mrs. Maureen Dunn, the wife of Lt. Comdr. Joseph Patrick Dunn, and Mr. E. C. Mills, the father of Lt. Comdr. James D. Mills.

After the committee has heard from these representatives of the MIA families, we will then hear the statements of the two executive branch representatives and discuss with them the questions raised by the families.

INSERTIONS FOR THE RECORD

I wish to put into the record at this point a release from the White House by the President on January 25, the proclamation of the National MIA Awareness Day. I will also put in the record, simply for the record, the invitations to the Secretaries of State and Defense.

[The documents referred to follow:]

[From Presidential Documents: Richard Nixon, 1974]

NATIONAL MIA AWARENESS DAY

PROCLAMATION 4261. JANUARY 25, 1974

By the President of the United States of America, a Proclamation

Over 1,200 Americans are still missing and unaccounted for in Southeast Asia. The bodies of more than 1,100 men who were killed in the same area have never been recovered.

Although the Vietnam Agreement of January 27, 1973, obligates North Vietnam and its allies to account for the missing and to return the remains of those who died, communist authorities have failed to account for our missing, or to return the remains of our dead in the year that has elapsed since the Vietnam Agreement was signed. As a result, the families of our missing men continue to live with the anguish of uncertainty about the fate of their loved ones.

Now, Therefore, I, Richard Nixon, President of the United States of America do hereby designate Sunday, January 27, 1974, as National MIA Awareness Day,
a day dedicated to the many Americans who remain missing and unaccounted for in Indochina, and to their families. I call upon all Americans to join on this occasion in expressing the clear, continuing commitment of the American people and their Government to seek the fullest possible accounting for Americans missing in Southeast Asia and the return of the remains of those who died. I also call upon State and local officials and private organizations to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of January, in the year of our Lord nineteen hundred seventy-four, and of the Independence of the United States of America the one hundred ninety-eighth.

RICHARD NIXON.

[Filed with the Office of the Federal Register, 12:03 p.m., Jan. 25, 1974]

U.S. Senate, January 25, 1974.

Hon. J. WILLIAM FULBRIGHT, Chairman, Committee on Foreign Relations, U.S. Senate

DEAR MR. CHAIRMAN: I appreciate your letter of January 19 inviting me to testify at the Committee's public hearing January 28 on the question of American servicemen and civilians missing in action in Southeast Asia. This subject is of great importance to the Administration, and to me personally, and I regret that I am unable to accept your invitation for that day. As an alternative, I suggest the Committee receive testimony from our Special Assistant for Prisoner of War and Missing in Action Matters, Frank A. Sieverts, who can speak with authority on our continuing efforts to obtain information about the missing and to recover the remains of those who have died. The Committee may also find it useful to invite a representative of the Defense Department to join Mr. Sieverts in testifying on this subject, in view of that Department's important responsibilities in this area.

If there are questions remaining after the January 28 hearing I would be glad to discuss them with the Committee when I appear in executive session the following day, January 29.

Best regards,

HENRY A. KISSINGER.
Hon. James R. Schlesinger,
Secretary of Defense,
Washington, D.C.

DEAR Mr. Secretary: The Committee on Foreign Relations will hold a hearing on the status of Americans missing in action in Southeast Asia on Monday, January 28, 1974, at 10:00 a.m., Room 4221 Dirksen Senate Office Building. On behalf of the Committee I would like to invite you to appear at that hearing in order to review the past and prospective efforts of the Department of Defense to account for the MIA's.

Before the hearing the Committee wishes to review the status of the Four Party Joint Military Team meetings in Saigon. It would be appreciated if you would make available to the Committee the most comprehensive reports which you have available concerning these talks. If members of your staff wish to communicate with us regarding this request, I suggest that they contact Mr. Richard M. Moose of the Committee staff.

Sincerely yours,

J. W. Fulbright,
Chairman.


Hon. J. W. Fulbright,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

DEAR Mr. Chairman: This is to acknowledge your letter of January 23, 1974 in which you invited Secretary Schlesinger to appear before your committee to testify concerning the past and prospective efforts of the Department of Defense to account for the MIA's.

The Secretary has asked Dr. Roger E. Shields to represent the Department before your committee on January 28. As you no doubt know, Dr. Shields is the Secretary's assistant for Prisoner of War and Missing in Action matters and, as such, has been in charge of the Department's efforts for the past three years. He is the most knowledgeable person in the Department concerning this important subject.

Navy Captain Jim Kneale of my office has been in touch with Mr. Moose as your letter suggested.

Sincerely,

John C. Marsh, Jr.

The CHAIRMAN. Our first witness, as I have stated, is Mr. Scott Albright, the executive director of the National League of Families of American Prisoners and Missing in Action in Southeast Asia.

STATEMENT OF SCOTT ALBRIGHT, EXECUTIVE DIRECTOR, NATIONAL LEAGUE OF FAMILIES OF AMERICAN PRISONERS AND MISSING IN ACTION IN SOUTHEAST ASIA

Mr. Albright. Mr. Chairman, and distinguished members of the committee, we are most appreciative of the opportunity of being with you today. Each of us here before you has a son or a husband who is missing in Southeast Asia. The National League of Families, as most of you know, is composed exclusively of wives, parents, children, and other close relatives of Americans who were captured or reported missing in the Vietnam conflict. My son, Capt. John Scott Albright II, has been missing in action in Laos since December 13, 1968.

One year ago today, our organization had more than 3,000 members. Today we have only a little more than half of that number remaining. Some of those whose husbands and sons were set free have become in-
active in our organization. But hundreds of others have dropped out of the organization out of a growing despair that nothing is being done or will be done to resolve the status of their loved ones. Those who remain are essentially the hardcore infiltrers—the wives, parents and other close relatives who are determined that every effort must be made to see that our missing men are properly accounted for.

We are deeply grateful for the opportunity to appear before this committee today to report to you the grievances and the deep hurt we families feel over the apparent abandonment of our men.

I recognize that "abandonment" is a harsh word, but certainly no harsher than the realities of the circumstances that now surround the ultimate fate of our missing men. On October 16, 1972, President Nixon, in addressing a National Convention of the League of Families, said:

We shall under no circumstances abandon our POW's and our MIA's wherever they are. When I use the word "abandon" I speak quite deliberately. That means we cannot leave their fate to the goodwill of the enemy * * *. We shall not stain the honor of the United States.

NORTH VIETNAMESE RESPONSIBILITY FOR RELEASE AND ACCOUNTING

Twelve months ago yesterday, our Government signed the Paris agreement, ending U.S. involvement in the Vietnam conflict.

We were told, and the American people were told, by Dr. Henry Kissinger that North Vietnam, in signing the agreement, had accepted responsibility for the release of all U.S. prisoners of war and the accounting of all U.S. missing throughout Southeast Asia.

This is important to keep in mind because, as members of the committee are aware, hundreds of Americans were captured and reported missing not only in North Vietnam, but in Vietcong-held territory in South Vietnam, and in both Laos and Cambodia as well.

OFFICIAL POW/MIA LIST AND THOSE SUBSEQUENTLY REPATRIATED

At the time the Paris agreement was signed, the names of 1,925 military men and 55 civilians—captured or reported missing—in these 4 areas were carried on the U.S. Government's official POW/MIA list. Hereafter, I will refer to this list as "the official list."

To understand what transpired with respect to the men whose names appeared on this official list, we must examine the list in relation to the list of Americans who subsequently were repatriated after the Paris agreement was signed.

And we must also recognize one important distinction between the military names on the list and the civilian names on the list. The Defense Department listed all military men as either captured or missing in action; the State Department lumped all civilians into the single category "missing."

In the wake of the Paris agreement, the North Vietnamese and the Vietcong gave us the names of 580 American prisoners of war—556 military men and 24 civilians—who were to be repatriated. At the same time, they gave our Government a list of names of 69 Americans—55 military men and 5 civilians—who they said had died in captivity.
The 580 Americans who were to be repatriated were subsequently returned to the United States in several separate groups. And, thanks to television and the outstanding coverage of this event by our national networks, all of America watched the releases with intense and emotional fervor. We saw former POW’s boarding aircraft in Vietnam, we saw them landing in the Philippines, we saw them departing from the Philippines, we saw them landing at the first stateside bases, we saw them departing from these bases for other bases near their homes, and we saw their arrival at these bases and the happy reunions with their families.

The entire country was caught up in a massive feeling of sympathy and concern for these men and of tearful elation and gratitude that they had—at long last—been set free. And all of us in the League of Families also rejoiced that those men were returning. Our emotions were mixed, however, since the list contained only one-third of the names of men we were hoping for and almost no one from Laos—only 7 military men, all of whom were actually held in Hanoi, returned out of the more than 326 men missing in Laos.

In the months that followed, and as recently as only a few weeks ago, the President repeatedly has reminded the American people that we are no longer at war in Vietnam and that “all our prisoners of war are home.”

Unfortunately, in all the well-deserved attention that these returning men got, America lost sight of the fact that less than one-third of the men on the official POW/MIA list actually came home. Hundreds of those who were missing did not come back but, in addition, some of the men carried on the official list as prisoners also did not return.

It is essential in reviewing the situation, therefore, to look both at the names on the official list as it existed on January 20, 1973, and the names of those who were repatriated after that date.

OFFICIAL MILITARY LIST OF CAPTIVES

Let us look first at the military list. The official military list contained the names of 591 American captives, including 2 men taken prisoner in China. Of this group, 508 were released and came home; 27 others on the same list were reported by the other side to have died in captivity. In other words, 535 of the 591 American prisoners of war were thus tentatively accounted for.

And I must add here, parenthetically, that I say tentatively accounted for because none of the remains of the dead has yet been recovered. I will have more to say about this at a later point in my statement.

But it is apparent to the committee, I am sure, that if only 535 of the 591 American POW’s were tentatively accounted for, then obviously we did not get back all of our prisoners. Fifty-six American military men previously carried on the official list as POW’s did not return nor were they listed among those who died. North Vietnam has simply refused to talk about these men, and as far as public utterances of our Government are concerned, the United States also has ignored their fate.
This is all the more strange on the part of both our Government and the Government of North Vietnam when we take into consideration the fact that the United States has actual photographs of some of these men, taken in captivity, and that in other instances our Government has copies of taped broadcasts by Hanoi in which the North Vietnamese claimed to capture some of these men. Some men even wrote to their families.

But now no one is talking about them. The American people are not even aware that they were ever listed as prisoners of war, that they did not come home, that our Government has made no public outcry about their fate, that the North Vietnamese now refuse to acknowledge that they ever even knew of the existence of men they once photographed or boasted about capturing.

The families of these men are understandably distressed. Many have admitted to themselves—and, in fact, had admitted to themselves even before the Paris agreement was signed—that their man might be dead. But since there was good evidence that he had been captured, they believed, and rightly so, that once the war was terminated and a prisoner exchange was completed, they would at least know his fate. Now they feel cheated of even this small comfort. North Vietnam has refused to tell them anything, and our own Government has not even given them the satisfaction of a strong public demand for information about these men.

OFFICIAL MILITARY LIST OF MISSING IN ACTION

Now let me turn to the question of the men on the official military list who were carried as missing in action just prior to the signing of the Paris agreement.

This list totaled 1,334 names. And out of this group, only 46 men were subsequently identified as POW's and sent home; 11 others who had been carried as MIA were listed in the dead list provided by the other side. This means that of a total of 57 MIA's—less than 5 percent of all those who were missing—were tentatively accounted for. And again, I use the word "tentatively," because the remains of the 11 missing men who were identified as having died in captivity have still not been recovered.

Nevertheless, 57 MIA's were tentatively accounted for, out of the total of 1,334 missing. This left 1,277 men about whom we knew nothing. Of the 1,277, some few subsequently have been accounted for, but only the Defense Department has the precise numbers. Even so, the families of almost 1,200 military men still await some shred of information about the fate of their husband or son.

OFFICIAL STATE DEPARTMENT LIST OF MISSING CIVILIANS

For families of the civilians who were carried on the official State Department list of missing prior to the Paris agreement, a similar situation exists. At the time of the agreement, 55 civilians were on this list. Twenty-three were identified as POW's and sent home and five others were listed by the other side as having died in captivity. This left 27 civilians unaccounted for.
TWENTY ADDITIONAL UNLISTED AMERICANS

In citing both the military and civilian statistics, I have omitted any discussion of the 20 additional Americans who were either repatriated or who were listed by the other side on the dead list. This is because these 20 men were never carried on either the Defense Department or State Department's official POW/MIA lists in the first place. One of the 20, a civilian who was repatriated, was not known to be either missing or imprisoned prior to the appearance of his name on the lists provided by the other side; 2 of the remaining 19 men had been listed as desertsers, and the other 17 all had been reported killed in action.

RECAPITULATION OF STATISTICAL INFORMATION ABOUT MISSING MEN

Such detailed numbers, though necessary, are quite confusing, so let me briefly recapitulate the statistical information about our missing men. At the time the Paris agreement was signed, the names of 1,980 Americans were on the official U.S. POW/MIA list. Of this number, 579 men came home—556 military and 23 civilian—and an additional 43 men whose names had been on the official list were reported by the other side to have died in captivity. Thus, 622 Americans out of a total of 1,980 were tentatively accounted for.

Not accounted for were 56 military men previously carried as prisoners-of-war by our Government, 1,277 military men previously carried as MIA by our Government, and 27 civilians previously carried as missing in action by our Government.

I want to break away just one moment and say as an aside, I apologize for all these numbers, but it is important in talking about these men to get a very firm picture of the numbers we are talking about and yet keep in mind at the same time we are not talking about numbers; we are talking about living, breathing individuals, each one of whom is represented by a miserable family; so let's don't think of it in terms of just numbers alone.

Additionally, we still have no further information about the 60 men the other side listed as having died in captivity. This group includes 5 civilians previously listed as missing, 27 military men previously listed as prisoners-of-war, and 11 military men previously listed as MIA—as well as 19 other men who come under other categories.

When I say we have no further information about these dead, perhaps I overstate the case. As the committee may know, U.S. representatives who have been permitted into Hanoi were allowed to see the gravesites where about one-half of these men had once been buried. The graves were empty. On a subsequent trip to North Vietnam, our representatives were taken to another cemetery and were shown the graves in which the remains of these men reputedly had been reburied. But none of these remains has been exhumed and returned to the United States, and our Government has not yet even seen the gravesites of the rest of the men on the dead list.

At one time we were told by representatives of our Government that, in addition to these 60 dead, the North Vietnamese had informed our representatives that there were other cemeteries in which some of our
missing are interred. But we have received, and we assume our Government has received, no further information about these burial places or the number of Americans who may be buried there, or any further list of names of those who may have died.

RECOVERY OF REMAINS

Of the approximately 1,200 men who are still missing and unaccounted for, the easy solution would be simply to say that they probably did not survive, that they were killed or died in the jungles of Southeast Asia, that all trace of their bodies has long since disappeared, and that we will never know what happened to them.

But this, of course, would beg the facts. We know that even today remains of men killed in Korea, 20 years ago, and men killed in World War II, 30 years ago, are still being recovered.

Our Government has established highly skilled teams to go into areas where our men were last seen alive and search for their remains or any evidence that they might have been captured. But, except for a pitifully few areas in South Vietnam, these teams have been effectively prevented from carrying out their mission. They have not been allowed into North Vietnam; they have not been allowed into Laos or Cambodia, and they have not been allowed into Viet Cong-controlled areas of South Vietnam. They are barred from these areas where the bulk of our men were last known to have been alive. And as of December 15, 1973, the ever-present danger of ambush awaits these brave men as they search unarmed for remains.

LACK OF EFFORT TO ACCOUNT FOR MISSING

Please keep in mind that the North Vietnamese, in signing the Paris agreement, assured our Government they would take the responsibility for the accounting of all of our missing men throughout Southeast Asia. The agreement stipulates that all of the parties will assist each other with this accounting.

But for all intents and purposes—except for a few limited areas in South Vietnam—there has been no real effort at any kind of accounting. And our Government has all but stood mute in the face of what amounts to outright defiance on the part of the North Vietnamese.

Only once, as far as the league of families can ascertain, has our Government taken even a half-hearted stand to try to overcome these obstacles.

Last July—after our board of directors called on Dr. Kissinger and pointed out the failure of the United States to actively seek an end to this impasse—our Government finally issued a diplomatic note of protest to the North Vietnamese. But this protest got little publicity at home and even less abroad, and has produced no results. And in the 6 months that have since elapsed, there has been no public, and possibly no private, renewal of the matter.

In fact, although we have heard the President repeatedly comment that all our prisoners of war are home, we have yet to hear him even hint that the accounting for our missing has come apart at the seams. And we have not heard the Secretary of State come down hard on this
issue, or the Secretary of Defense, or any other top official in the administration.

And, while we recognize that Congress played no part in writing the terms of the Paris agreement, it would nevertheless be reassuring to also hear some of our top congressional leaders speak out publicly on this issue.

The American public is certainly not well-informed on the issue, and the rest of the world is probably even more in the dark.

Those who have listened to the President probably think there is no problem, that all of our prisoners of war were returned, and that's that.

But, as I hope I have made clear here today, they did not all return. Almost 60 of those the other side claimed to capture have been wiped off the face of the earth by government fiat. The bodies of 60 other Americans the North Vietnamese say died in captivity are continuing to rot somewhere in Vietnam, and our Government does not even bother to call this fact to the attention of the world. And the families of these 116 men and almost 1,100 other Americans who are still missing and unaccounted for have seen no evidence whatsoever that their government is trying to untie its hands and rectify the situation.

Please understand, we are not accusing any individual of dereliction of his duties. Dr. Kissinger has graciously given of his time and has met periodically with the league's board of directors. The brutal fact is that 1 year and 1 day has passed; no accounting has been made. The families of these men remain suspended in limbo, still not knowing. The passage of time decreases the chances that men remain alive—and after those reports of torture that our returned POW's related, the families try not to dwell on what may be happening at this very moment, as we sit here, to those who may yet be in enemy hands.

Frankly, we do not know what the answer is. We do not know what next step must be taken to untangle the mess the Paris agreement has produced.

But we do know this: Our Government leaders, and this includes Members of the Congress, are under moral obligation to give our people the unvarnished facts about our missing men. We did not get back all of our prisoners of war; we have not gotten back any of our dead, and the efforts to account for our missing have all but been shelved.

PURPOSE IN BRINGING MIA SITUATION TO COMMITTEE

Our purpose in bringing our MIA situation to this committee is this: We, the families, and the men we represent, are victims of an international agreement that has been broken—paragraph 8(b) requires that all prisoners of war be returned and the bodies of the dead repatriated. The North Vietnamese also promised to be responsible for the accounting of those missing in action throughout all of Southeast Asia.

The problem we bring to you is this: What can a Nation such as ours do to enforce the provisions of an agreement such as this? We are told by our Government that we have lived up to our side of the agreement in every detail. The other side has not. We are told by spokesmen within the administration that we have no leverage that
can be used to force an accounting. We have heard from Members of Congress that the problem is an executive one, and not one that can be solved by the Congress. Our families feel caught in the middle.

What we ask of this committee is, we know, a difficult question: What can be done to assure compliance? What price should this Nation be willing to pay to force compliance?

There is, perhaps, another more far-reaching question here, also: If this Nation allows another nation to violate an agreement with impunity, how does this affect all future agreements that we might enter into?

We are very aware that, at this time, in the face of North Vietnam's refusal to even discuss the accounting seriously, there will be costs connected with this problem. What price should this Nation be willing to pay to live up to its own promise to its citizens who go to war to uphold national objectives? What will be the price in the future, if we, as a nation, abandon these patriotic men and their families?

Other questions plague the families and friends of these men. We are told by the President himself and other spokesmen that the missing in action accounting is a matter of the highest priority to our Government. One thing that most of us recognize in matters of highest priority in Government is that immediately a bureaucracy materializes, the subject receives front-page coverage because of strong, clear statements by Government leaders. If our problem is, indeed, a matter of highest priority, it is being handled in a very different way—no visible bureaucracy, no public outcry, no publicity, not even the identification of who is in charge of the Government machinery set up to solve the problem. In fact, the reverse is true in the MIA situation: The responsibility is fragmented throughout several executive agencies; no overall chief has been identified; most of those involved in MIA issues have other, demanding responsibilities which take away from their effectiveness.

We hope that this committee will press the administration to provide a timetable under which the United States can expect to see the return of our dead. We hope you will press the administration to make public all of the facts concerning our men who were listed as prisoners of war and who were not released or otherwise accounted for. We hope you will press the administration to provide a timetable under which the U.S. search and inspection teams are expected to be allowed entry to all of the sites where our men were last known to be alive.

And if these answers and these timetables are not satisfactory, we hope this committee will continue to press the administration, and that the administration will continue to press the North Vietnamese and the court of world opinion until you do get satisfactory answers.

**STATUS CHANGES**

We also hope, Mr. Chairman, that the committee will question the administration witnesses closely on these matters and the changes the Government has made over the past 12 months in the status of former prisoners or missing men. How many status changes have been made? On what basis was each change made? Was there new evidence in each case? Were bodies of any of the men recovered? In each instance of
a status change, does this action presume a final accounting on the part of the Government? Or if no remains were recovered, is the accounting still incomplete?

These are all questions that our organization does not have answers to, and which gravely concern our family members.

On behalf of the members of the League of Families, I thank you for this opportunity to bring our case before the Senate.

Mrs. Dunn and Mr. Mills each have short statements, and the committee may desire to hear them and then question all of us at the same time.

Thank you, sir.

The CHAIRMAN. Thank you, Mr. Albright.

[Applause.]

The CHAIRMAN. Thank you, Mr. Albright; that is a very thorough and fine statement.

Mrs. Dunn, will you give your statement at this time?

Mrs. Dunn, Mr. Chairman—

Senator Percy, Mr. Chairman, could I ask if there is any way that we could move up some of the people in the back of the room into this small area here and possibly over there. It is warm and congested in the back. We also have a couple of empty seats on the end here.

[Applause.]

The CHAIRMAN. Yes, it is perfectly all right. Will you proceed, Mrs. Dunn?

STATEMENT OF MRS. JOSEPH P. DUNN, ACTING NATIONAL COORDINATOR, NATIONAL LEAGUE OF FAMILIES OF AMERICAN PRISONERS AND MISSING IN ACTION IN SOUTHEAST ASIA

Mrs. Dunn, Mr. Chairman and members of the committee, thank you for granting us this hearing.

On February 14, 1968, my husband, Lt. Comdr. Joseph Patrick Dunn, was shot down over Hainan Island off the coast of North Vietnam on an unarmed flight from Subic Bay to the carrier Coral Sea. When the incident occurred, his manually operated emergency beeper was heard by the men in the lead plane letting them know of his safe descent in his open chute. The lead plane had to divert from the area due to enemy approachement. Eight hours later, his distress signal was heard again for 20 minutes by our naval destroyers in the area.

All of the facts pointed to Lieutenant Commander Dunn's vital signs being in the affirmative, but, before the rescue teams could pursue the search, it was called off by the Chairman of the Joint Chiefs of Staff upon direct order from President Johnson, who thought we could not chance another incident with an unfriendly country, such as China, at this particular time. The Pueblo had been captured only 2 weeks earlier.

PLIGHT OF POW AND MIA FAMILIES

Although my husband's case is unique because of the location, the incident in other respects is typical of that of many missing men, and echoes the plight of all families of these POW's and MIA's. Next
month marks the 6th anniversary of my husband’s disappearance and
the 9th and 10th anniversaries of others. Must we be obliged to be
good Americans and suffer 6 years or 10 years more? I sincerely hope
not. Not just for myself and other POW-MIA families, but for the
honor and dignity of all the men still over there who deserve more
from their country than complete and absolute oblivion. They are
heroes, yes, but far more, they are citizens of this great and gallant
country of America, men who fought hard, loved it, honored it and
cherished it; all the things that have been instilled in us as Americans
since birth.

We are proud and honorable people by nature, but in the minds of
the POW-MIA families and all the truly wonderful concerned citi-
zens in this country who have sought to help us, the pride and honor
is slowly being drained away by the ineffective efforts our Government
has made in dealing with this issue. These efforts are now being
viewed as characterized by elusiveness and forgetfulness to the point
where Americans are beginning to question what our officials are
hiding.

Our citizens no longer just question the efforts of the administra-
tion. As I go from school to school, service clubs, shopping malls, et
cetera, various citizens say, what are our Senators and Congressmen
doing, and for years I answered, you are trying. I tell my audiences
that our families keep persevering with letters, post cards, et cetera,
year after year, to House and Senate Members, and that you are
doing everything in your power to rectify this injustice.

But of late, I feel I am not answering with strong conviction that
I feel you in the Congress are doing everything in your power to
clear up this issue. I am beginning to feel, as do most family members,
and many concerned citizens in your respective states, that our prob-
lem has been Watergated, Agnewed, Richardsean, Energy Crisised
and Mideastted practically out of existence. A strong conviction, yes,
but one that was arrived at only after watching and listening to the
inaction of the Congress since the signing of the Paris agreement.

I even had one of your colleagues, not on this committee, tell 111e
that since the Senate was not asked to ratify the Paris agreement that
it is not the Senate’s problem to see that the provisions of the agree-
ment are upheld.

RESPONSIBILITIES OF CONGRESS.

I’m sorry, but you gentlemen, as elected officials of this country,
must assume the responsibility for these men. Members of the Senate
are elected to serve and defend this country and its citizens, and I
must tell you in all candor that neither I nor the families in this room
of the men missing in Vietnam feel that you are living up to this
obligation.

[Applause.]

I realize this is a strong accusation, gentlemen, but please do not
think it is from an emotional and an irrational wife. You see, I have
had 6 years in which to learn to control my emotions and make rational
judgments because I not only had to learn to run a house and family
without the aid of a wonderful husband and father, but I also had to
go out and fight for him when I felt everyone, including our Govern-
ment, had all but abandoned him.
And when, in world history, have wives and mothers had to go out and fight for a husband or son honorably serving his country? Never in any past war has the family of the man had to take up his cause. It has not been easy to survive this kind of situation, but the burden could have been eased if our Government had taken some of the load off our shoulders.

Many people ask me, “Maureen, why do you think America is so great when they have done this to you?”

I have always answered with “He was doing his job and the Chinese shot him down, not the United States.”

But they come back with: “Yes, but look at all that you and the families had to suffer at the hands of the Government who at times have been delinquent in their efforts for the men.”

An answer I try to satisfy them with is a quote from a guy I think is a good American: “I know what I am doing is right because man has not figured a better way to combat Communist aggression and, until he does, I will continue on.”

This quote is from Lt. Comdr. Joseph Patrick Dunn in a letter mailed January 1968, and received the day he was shot down.

Gentlemen, how can you allow hundreds of men like Comdr. Joe Dunn to be written off by their Government as unverified statistics of the Vietnam conflict? Such men are the wealth of this country and until you prove your concern for them, I am afraid that we will become increasingly impoverished.

UNITED STATES MUST ACT STRONGLY AND AFFIRMATIVELY

Gentlemen, the United States must act strongly and affirmatively to bring the rest of our prisoners of war home, or determine that there are none still being held there. The Government must see that the bodies of our dead are returned to their families for honorable burial. And the Government must assure that we go forward with a full and detailed accounting of all of our missing.

[Applause.]

The only method I know by which this can be accomplished—and please not the affirmative attitude—is for Congress, our top Cabinet officers, and the President to all begin demanding with one voice, loudly and publicly, that the North Vietnamese live up to the terms of the Paris agreement as it applies to our prisoners of war and missing-in-action men.

You will recall that this issue was to have been divorced from the political aspects of the settlement. By constantly turning the other cheek, the United States has lost all initiative in the fulfillment of this promise. We hope this committee and the Congress will help recover the initiative before it is too late.

Gentlemen, I would like to conclude on a personal note.

WITNESS’ SON

My son was an infant of 18 months when his father was shot down. He will be 8 years old on July 4. I have endeavored to instill in him a love for his country and the belief in its honor and integrity and
institutions. I have taught him to pledge his allegiance to the United States of America.

But I do not know how much longer I can keep telling Jody that ours is the greatest country in the world unless we see some new evidence that the United States plans to stand up for his father and the hundreds of guys who are still missing in Southeast Asia. If his father does not come home and is never accounted for, it would be a lie to tell him our country did all it could. I have never lied to him, gentlemen, and I do not intend to begin.

I hope you gentlemen will help me to avoid the alternative.

**CONCLUSION**

In conclusion, gentlemen, on behalf of all the wives, parents and children of our hundreds of missing men, please take our concerns into an open forum so that the world will know America does care about these men and will not abandon them to an unknown fate.

[Applause.]

The CHAIRMAN. Mrs. Dunn, it is evident from the response that you made a very moving, forceful statement and we are very much in your debt.

The next witness is Mr. E. C. Mills of Bakersfield, Calif.

[Applause.]

**STATEMENT OF E. C. MILLS, MEMBER, BOARD OF DIRECTORS, NATIONAL LEAGUE OF FAMILIES OF AMERICAN PRISONERS AND MISSING IN ACTION IN SOUTHEAST ASIA**

Mr. Mills. Mr. Chairman and members of the committee, I am the father of Lt. Comdr. James B. Mills, a declared missing in action September 21, 1966, in a fight over North Vietnam, and also off the aircraft carrier Coral Sea.

I do appreciate this opportunity to express my views relating to the plight of our men and their families and I will make what I feel are pertinent suggestions for action. I feel my views are shared by many of our family members.

It is most significant that the Senate Foreign Relations Committee should grant this hearing a year and a day after the signing of the so-called peace agreement. All of us whose loved ones are in the MIA category are subject to a year-and-a-day review of our loved ones' status by the service to which he is attached.

Let me say that we appreciate the efforts of you gentlemen and your colleagues in the House. Also, we appreciate the efforts of the Department of State, Department of Defense and the White House. The efforts are well known to us. But it is plainly evident that all of these efforts have fallen short of gaining the intended purpose.

**CHIEF CONCERN**

Today our chief concern is that we do not have an accounting of our missing, or return of any of our men who are buried in Communist held territory as stipulated in article 8(b) of the Paris agreement.
Many have said, including our President, that all of the POW’s are home; yet almost 60 men who were known to be prisoners, and are still listed officially as POW’s by our Government, did not return nor were they listed as dead by the Communists. Their capture was substantiated by evidence such as a letter written home, photos in captivity, propaganda broadcasts, et cetera.

A typical case is that of Mr. and Mrs. Calvin Sparks of Sarroll, Iowa, who have a letter from their son, Army Sgt. Donald Lee Sparks, in which he reported he was in fine health and had been held for 10 months without seeing another prisoner, and by the way, I have a copy of that letter.

Is it fair to assume because no returned prisoners saw Don Sparks that the responsibility must now fall on his parents to prove that Don is still alive, or to prevent our Government spokesman from saying all POW’s are home, and all MIA’s therefore are dead? This will only relieve the Communists of their obligation to account for Don and prisoners like him.

NOT ENOUGH EFFORT TO INSURE COMPLIANCE WITH GENEVA CONVENTION

Through the years I have believed that the United States does protect the rights of her citizens, that the United States stands behind her commitments, that agreements signed by representatives of the United States are binding. I have believed that we not only abide by these agreements, but that we would take necessary steps to see that other countries abide by them. It is my feeling that the United States has tried to live up to these ideals, but we haven’t done enough to see that other countries do likewise.

Article I of the Geneva Convention states, and here is a quote:

The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances.

We know, from the testimony of our returned POW’s, that the North Vietnamese fell far short of abiding by that convention, and that the 123 high contracting parties made little, if any, effort to insure that the North Vietnamese would respect their commitment. We did not see government leaders of France, England, and Canada condemning the North Vietnamese for failing to live up to these international agreements which they signed. Nor do I recall any hue and cry by our Government asking these countries to do their part to insure compliance with the agreement.

Now it has been a year and a day since the four parties to the Paris agreement—the Democratic Republic of Vietnam, the Vietcong, South Vietnam, and the United States—signed the document, which was reaffirmed on June 18, 1973. For that part of the agreement which brought almost one-third of our POW’s and MIA’s home, we are very grateful. We are also thankful that our fighting men are no longer being killed or taken prisoner or placed in a missing-in-action category that so many families have lived with for so long. But the provisions of the agreement concerning our POW’s and MIA’s have not been upheld.

It is a well-known fact that the DRV and her allies are the culprits. They have not cooperated in any way. In fact, they have failed to act
in any meaningful manner in this regard. They have barred U.S. inspection teams from all Communist-held territory. The North Vietnamese and their allies failed to produce official lists of prisoners of war prior to the Paris agreement. They failed to cooperate with us during this past year.

How can we possibly leave the responsibility of an accounting to the goodwill and honesty of the North Vietnamese?

OUTLINE OF FUTURE ADMINISTRATION EFFORTS REQUESTED

President Nixon stated on October 16, 1972, and I have this quote that Mr. Albright gave but it bears repetition:

We shall under no circumstances abandon our men wherever they are. When I use "abandon" I speak deliberately—that means we cannot leave their fate to the goodwill of the enemy.

In a letter to me dated January 14, 1974, President Nixon said:

I want to take this opportunity to again reassure you of our firm commitment to obtain the fullest possible accounting of these men.

He further stated:

Let me assure you, however, that just as we never broke faith with our POW's, so shall we not break faith with our MIA's. They must all be accounted for. The courage of our men and women who served throughout Indochina demands nothing less. Our joy at the repatriation of our POW's did not diminish our concern for those who did not return, and we are determined to exert every effort on their behalf.

I want to believe the statement. I don't doubt the President's sincerity. But I would like to see a specific outline of the efforts the administration will make this coming year, as most of the families know no more about their men now than they did this time last year.

The status of several former prisoners or missing men has been changed as the result of information from returned POW's, but few status-changes have resulted from the work of the U.S. inspection teams operating in Southeast Asia, and limited to the friendly South Vietnam territory.

The patience of the POW/MIA families was often tried during the long war years. We know our men had a deep love of their country and a deep respect for its elected and military leaders. We, the families, share these feelings. But now—a year since we were promised an accounting—while our love of country and respect for its leaders has not faltered, our patience nevertheless is beginning to wear thin; in fact, it is worn out.

GOVERNMENT RESPONSIBILITY FOR FULLEST POSSIBLE ACCOUNTING

None of us had any doubt a year ago that we would secure an accounting long before this. We realize that, ultimately, only the Communists can provide the assistance and information which can release our families from this nightmare—from this never-never land, this state of frustration. However, we have just also begun to recognize how imperative it is for our Government to provide some answers. It is our country and our Government that sent these men to Southeast Asia and ultimately to this fate. We must hold our Government re-
sponsible for the greatest possible accounting, and we are firm in our convictions that we do not presently have the fullest possible accounting.

[Applause.]

Most of us knew the specific location where our men became missing. We will in no way be satisfied until our team or some neutral country's team makes a careful search of these areas. We must be allowed not only to explore crash sites and gravesites, but we must search for live Americans. We believe that none of you gentlemen, if you were sitting in our chairs, would be satisfied with anything less.

We waited patiently, and perhaps with blind faith, when our Government officials asked us to keep quiet following the Paris agreement, for fear of endangering the delicate mechanism involving the prisoner release. And we perhaps lost our greatest opportunity to let the world know that the POW/MIA issue has not been solved, that for every POW that returned there are more than two men still unaccounted for.

The American people demonstrated perhaps the most dramatic display of brotherhood in our history when our POW's returned. When these men deplaned I expect all records for TV viewing were broken. The American people, in their great joy, were no doubt unaware that all the POW's did not return. Had they recognized this, perhaps their outcry would have forced the issue immediately into the only forum in which it may have a chance to be resolved—the forum of world opinion.

This hindsight enables us to recognize our responsibility and our Government's responsibility. I am here today to plead with you distinguished Members of the Senate to reject the rhetoric that:

We are doing everything possible to solve this dilemma, that no stone will be left unturned until this problem is solved, that all our POW's are home.

I implore you to use all avenues and means at your disposal.

**REASON FOR DETERMINATION TO PROHIBIT STATUS CHANGES**

Before I make what I feel are pertinent suggestions for action, may I comment on why some of our family members are determined to prohibit Service Secretaries from making status-changes from MIA/POW to KIA (killed in action) or PFOD (presumptive finding of death) without what they, the families, consider a sound basis. Several such changes have been made without the benefit of any new, additional information. Many families feel that hundreds of such changes might have been made without any new evidence had not some of our members gone to court and obtained a restraining order to prevent such action. The family members have stated they were told that, "We have to start somewhere," or "It has been 6 or 7 years and we consider that a lack of new information is a basis for determining a presumptive finding of death." But that answer is not good enough, gentlemen.

If our Government does not conduct the most thorough investigations, we will simply give the Communists the unimpeded right to ignore their responsibilities.

We certainly do not want to perpetuate our organization into a league of people who will still be pondering the fate of our men 1 year, 5 years or 10 years from now. Nor do we wish to dissolve our league
before accomplishing our avowed purposes: The return of all live prisoners, the fullest possible accounting of the missing, and the return of all our men buried in Communist territory.

SUGGESTIONS FOR ACTIONS TO PRESSURE NORTH VIETNAMESE

The North Vietnamese have never responded to anything but pressure. They did not seriously come to the peace table until they were pressured to do so by the B-52 bombings, the mining of Haiphong Harbor, and a cutoff of supplies from the North. We do not have the military leverage now that our troops have been removed, so what pressures do we have left?

I would like to make three or four suggestions, all of which might pressure the North Vietnamese. One of these particularly applies to our league, and we could help with this, but we will also need your assistance. The other suggestions are in your hands. You have time to take the action and I hope you will assume the responsibility, seriously, and will act positively.

I don’t mean to be presumptuous. I am a father of a son who has been missing over 7 years, doing what I can to determine his fate and the fate of all others. I do this most sincerely and with all the humility and compassion that I can muster. The wives, the children, the parents, and the families deserve and will accept nothing less than the fullest possible accounting and return of the remains of our men.

Now, the suggestions.

First, we feel we need a worldwide awareness campaign. We would like a partnership of our Government and the families to work on this. You, our elected leaders, could bring forcefully to the attention of your counterparts and the governments of the world that North Vietnam and her allies are not abiding by article 8(b) of the Paris agreement. We, the families, can marshal our forces and throughout our Nation appear before service clubs, churches, and various other groups and have a ground swell of letters, mailograms, telegrams, and so forth, to the United Nations, to the governments of the world, to Le Duc Tho, to the premier and the president of North Vietnam, as well as our own Government leaders.

The wearing of the POW/MIA bracelet developed by VIVA (Voices In Vital America) and encouraged by the League of Families did so much to make and keep the public aware of the POW/MIA issue. Just this week we got a letter from a lady in Holland who still wears our son’s bracelet. Interest may have declined in the bracelets and what they represented when the released POW’s came home, but less than one-third of the men for whom the bracelets were made came home. Thus, the bracelet still has meaning for the other two-thirds. We also will work diligently on related programs.

Second, we firmly believe there should be no reconstruction aid to North Vietnam or her allies until they have complied fully with article 8(b) of the Peace agreement.

But, more importantly, we think congressional leaders should make this condition publicly known at every opportunity. Only repetition may convince the Communists that we mean what we say.
SUGGESTED ACTIONS TO PRESSURE NORTH VIETNAMESE

Third, our Nation has heard a great deal during the past year about foreign trade. We firmly believe in foreign trade, but there are some considerations. We should get our priorities in order.

Our President and Dr. Kissinger have proposed most-favored-nation status for Russia in trade relations. This has not been granted for what I feel are very good humanitarian reasons. The Mills-Vanik-Jackson amendment is a good one which I support fully, and I wrote Congressman Mills and Senator Jackson to that effect. In a response to a news release quoting Congressman Mills' statement that he threatened to oppose liberalized trade with the Soviet Union if the scientist Andre de Sakharov and novelist Alexander Solzhenitzen continued to suffer the wrath of the police state mentality, I stated that:

I agree with you wholeheartedly that freedom-loving people everywhere should be concerned with the plight of these men. Also, I agree with you and Senator Jackson that favored-nation status should not be granted to Russia because the Jewish people are not allowed freedom to travel and exit from Russia.

I also included this statement to both of them:

It would be wonderful if you and Senator Jackson and some of your colleagues could threaten to oppose liberalized trade with the Soviet Union unless they assist us in getting the fullest possible accounting for all the men, including—

And I mentioned two here because he mentions them—

my son, Lt. Comdr. James B. Mills, missing in action September 21, 1966, and Lt. (jg.) Walter O. Estes, missing November 19, 1967, and the many others who were in the service of our country when downed by Soviet-furnished war material.

Russia and China were and are the chief suppliers of North Vietnam for war material. It was a Russian-detonated missile or some Russian munition that sent our loved ones into this fate. We believe Russia and China should assist us in getting an accounting.

In Oklahoma where I came from, we learned that in order to consummate a trade, those doing the trading had to have something that the other person wanted badly enough to do some bartering or negotiating or just plain trade talk. We want something badly—an accounting of our men. The Russians can assist us. They want something badly—most-favored-nation status in dealing for wheat, industrial equipment, technology. We can assist them. Let's do some plain trade talking. But first, let's set a timetable. The communications could be couched in diplomatic language, but in essence would go something like this—I am thinking now of Dr. Kissinger's talking to Mr. Brezhnev:

Leonid, old boy, we want to help you out and assist all countries that are in need as we have done through the years, but before we get on with this, you will need to insist that your ally, North Vietnam, must assist in providing us with an accounting of our men as called for in the Paris agreement. When this is done, we will move ahead rapidly with these trade agreements. But until then, no favored-nation status; in fact, we will have to impose a moratorium on trade. I believe you could help us, and perhaps within 3 months we could call off the moratorium and get on with the trade agreement.

Now, gentlemen, I know I have oversimplified this, but if the plight of our men, as has been said so often, is a priority of the highest order, I am for all men in Government to treat it so.
To me there is a dichotomy in the statement, "We are doing everything possible on the accounting issue," and recommending liberalized trade relations with Russia.

[Applause.]

PRESENTATION OF BRACELETS

Mr. Fulbright, with your permission we, the families, would like to present each of you a bracelet of an unaccounted-for American. We hope you will join us in wearing it until you, our Government, furnish us with the fullest possible accounting of our men as we have been promised.

Thank you very much.

[Applause.]

And, by the way, I am proud of my two daughters who are making the presentation. Thank you very much, sir.

[Applause.]

COMMENDATION OF STATEMENTS

The Chairman. Mr. Mills, that was a very moving statement, as you can see, and the whole committee and the audience appreciate it very much.

Senator Sparkman, do you have any questions?

Senator Sparkman. Mr. Chairman, I do not have any questions. I think they have made a tremendous presentation. We do have other witnesses to be heard from; so I shall not take any time.

The Chairman. Senator Aiken?

Senator Aiken. Mr. Chairman, I have listened to all the witnesses and I do not know that we can add much to what they have said.

We have this very serious and unfortunate situation and certainly hope that some way will be found to get things straightened out and get a report on as many of the MIA's as possible.

Thank you.

[Applause.]

The Chairman. Senator Symington?

Senator Symington. Mr. Chairman, this is obviously a sad business. We have heard the moving and effective statements and some practical suggestions. I would like to hear the defense of the Department of Defense and the administration as to why this matter has dragged on the way the witnesses say. I certainly have full sympathy and respect for their position.

The Chairman. Senator Case?

Senator Case. Thank you, Mr. Chairman.

HAS SILENCE ON ISSUE BEEN REQUESTED?

Just a couple of questions that I would want to get you to answer, if you will, before the other witnesses come.

Have any of you been asked by the Defense Department or by the State Department to be silent about this issue?

Mr. Albritt. Not to my knowledge. I do not know of anyone who has ever been told not to speak about this.

Mrs. Dunn. Are you directing the question to the three here, sir?
Senator Case. Everybody here, all of you.

Mrs. Dunn. Well, not to us three personally, but there are people in the audience.

Senator Case. What I want to get is the information that not only you personally but whether people have been approached.

Mrs. Dunn. People in the organization, yes, they have.

Senator Case. Would you tell us what you know about that?

Mrs. Dunn. I know of a few letters that have been sent to gentlemen asking them, by the Department of Defense, not to participate in military functions officially, and yet these men are military men. Thus why can they not participate for their comrades in arms? This is a very pertinent question.

Senator Case. And this applies to returned POW's?

Mrs. Dunn. Yes sir.

Senator Case. And other military?

Mrs. Dunn. Yes, sir.

In all fairness to the Department of Defense, that last order was rescinded. We had a "Run for Freedom" in which you people were asked to participate on November 14. The order had come out from the Department of Defense indicating there would be no participation in this in uniform, and many men who were returnees did participate out of uniform. The order, I must say out of deference to the DOD, was rescinded by approximately 12 hours before and it was also on the right to participate, and we have documentation from men asked not to be involved in this issue.

Mr. Mills. May I comment on that?

Senator Case. Yes.

Mr. Mills. Of course, prior to the time we went public on this with encouragement by the Defense Department, we had abided by what was recommended to us for fear, of course, of reprisal. After that time, we did have good cooperation and we worked as a partnership. It was my privilege to serve as chairman, national chairman, of this "Run for Freedom," and when I got calls from Spokane, from Virginia, from Maryland, from Texas, "What is this?" We had joint flag ceremonies called for. Now we cannot have them.

Or the ROTC units, the University of Texas, were going to participate, or the midshipmen here at Annapolis were going to participate; they cannot do it now. It seems to us we were a partnership all through until the released POW's came home, and we would like very much that same partnership to exist until the fullest possible accountability is obtained.

[Applause.]

Let me say, it took lots of phone calls, but as Mrs. Dunn has said, the order was rescinded but too late actually for the participation. And in just one instance in Bakersfield, Calif., where we had four of the released POW's and they were from Lemoore; four came down and it was kind of a sad thing to see the Navy hustle up with one flag when we had planned a joint presentation with the color guard.

It seems to me if they have to ask, in other words, to be permitted to participate in something as closely related to the armed services as this, they are not asked at any stadium throughout the country when
they have a joint color guard presentation for a big football game or anything of that sort. We feel we are equally important to that, at least.

Senator Case. Thank you very much.

[Applause.]

Senator Case. I have no further questions.

The Chairman. Senator Church.

GOVERNMENT FOLLOWUP ON MIA PROMISE QUESTIONED

Senator Church. You may remember that when Secretary Kissinger came before this committee for confirmation I put questions to him at that time that your group was most anxious for him to answer. These questions concerned what he proposed to do and what the Government proposed to do in following up on this promise that was made with the MIA and he said that everything possible would be done.

Since that time, I have been writing to the State and Defense Departments. I keep getting back these letters saying that everything possible is being done, but nothing is happening, you know.

[Applause.]

I really do not have a question for you. I sympathize so completely with everything you are trying to achieve; I will have some questions for the administration witnesses.

[Applause.]

HEARING PROCEDURE

The Chairman. May I suggest to our audience that while I certainly approve of your expression of your approval of these remarks, we do have the administration witnesses and I know you want to hear them. It is a matter of time. If we are going to take all our time applauding ourselves now, we won't get to the rest of the witnesses until this afternoon and then many people cannot be here.

I would ask you to allow us to proceed as quickly as possible so that we can get representatives of the Department of Defense and the Department of State to respond to the questions and suggestions that you have made. Otherwise, I am afraid our hearing will be a little one-sided and not as useful as you would like. So I do not, of course, disapprove of your expressions of approval, but we have to recognize time is running. That is all I would like to suggest.

The Senate meets, you see, fairly soon and we have legislation. We have to go to other duties.

The Senator from New York.

Senator Javits. Thank you, Mr. Chairman.

STATEMENT BY SENATOR JAVITS

Mr. Chairman, like Senator Church, one is almost prevented by one's own feelings from asking questions of witnesses like these who have suffered so terribly as individuals, and so, like many, I too want to hear the administration witnesses and I think we should reserve our questions for them.
Your ordeal is not lessened by our questions; I think Senator Case was absolutely right. It is for the benefit of all of us to inquire whether in any way you have been stopped or influenced against expressing protest and keeping the flame burning. I also think, Mr. Mills, your suggestions are very well worth inventorying. They are highly specific as they must be. I have no doubt that we have a continuing job to do and we welcome instruction on how to do it. We welcome ideas from those who have suffered so much, and beyond that, as I think Senator Church so properly said, let's try to do our utmost to deal with those who can really have some capacity for doing something about it.

Thank you, Mr. Chairman.

The CHAIRMAN. The Senator from Kansas, or the Senator from South Dakota.

STATEMENT OF SENATOR McGOVERN

Senator McGovern. I think Senator Javits and Senator Church have said very well what I wanted to say, which is to commend the witnesses for their testimony and the people in the hearing room for the conviction, tenacity and patience they brought to this problem. I quite agree that the questions ought to be directed to the administration. I am very hopeful that, as a consequence of this hearing, we may move a little closer to some of the answers to which we are entitled.

The CHAIRMAN. Senator from Kansas.

STATEMENTS OF MRS. ANN HOWES AND MISS MAURINE SMITH

Senator Pearson. Mr. Chairman, I would be very much surprised if there were not representatives from every State in the Union here this morning, and so it is with Kansas. Here today are Mrs. Ann Howes and Miss Maurine Smith, both of whom have been concerned with these problems and have been of enormous help to me on the matters. They are outstanding citizens of my State. I want to compliment the chairman for leaving the record open. They have a statement here and they are appreciative of our time limitations. I want to file this in the record and commend it to my colleagues on the committee and to the Senate. [See appendix.] I am sure other statements will be filed in the time the chairman has allowed for further statements to be presented.

The CHAIRMAN. Senator Percy of Illinois.

Senator Percy. Mr. Chairman, thank you very much.

STATEMENT BY SENATOR PERCY

I first would like to express appreciation to the Chair for calling these hearings. I hope the deep concern of the Senate Foreign Relations Committee in this matter will not be lost on the North Vietnamese and their allies in South Vietnam, Cambodia, and Laos.

All people who hold information on prisoners of war, personnel missing in action, and those who have died, but who refuse to divulge that information, have placed themselves in an absolutely indefensible moral position. There can be no justification of any kind of refusing to cooperate.
Mr. Chairman, I have introduced Senate Concurrent Resolution 63, and am pleased to have the cosponsorship of my distinguished colleagues Senator Hugh Scott, Senator Javits, Senator Pell, Senator Muskie, Senator McGovern, and Senator Church.

[Committee staff note: Subsequently Senators Sparkman, Humphrey, Fulbright, and Bayh were added as cosponsors.]

This is a means, a vehicle by which the Senate Foreign Relations Committee can officially express its dissatisfaction with the performance of North Vietnam and its allies on this question. I fully understand that the resolution provides no solution to this terrible problem. I think its major effect can be to show the North Vietnamese and their allies that the members of the Foreign Relations Committee, the majority of whom opposed continued American combat involvement in Indochina, feel as strongly as the administration which prosecuted the war that humanitarian considerations require of all the parties to that war a satisfactory resolution of this problem.

[Text of S. Con. Res. 63 follows:]
IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1974

Mr. Percy submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

CONCURRENT RESOLUTION

Relating to unaccounted for personnel captured, killed, or missing during the Indochina conflict.

Whereas the Agreement on Ending the War and Restoring Peace in Vietnam, signed in Paris on January 27, 1973, and the joint communique of the parties signatory to such agreement, signed in Paris on June 13, 1973, provide that such parties shall—

(1) repatriate all captured military and civilian personnel,

(2) assist each other in obtaining information regarding missing personnel and the location of the burial sites of deceased personnel,

(3) facilitate the exhumation and repatriation of the remains of deceased personnel,